IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

GUARDIANSHIP PETITION NO.47 OF 2007

Atish Babaji Kadam ...Petitioner

Mr.Nirmala K. Vyas for Petitioner

CORAM: SMT. ROSHAN DALVI, J.
DATED: 28TH MARCH, 2007

P.C.

1. The Petitioner is the elder brother of the two minor children Minal and Shraddha whose parents have both expired. The Petitioner has produced the death certificates of his parents and the birth certificates of himself and his two minor sisters. The Petitioner is 25 years of age. He is the only person who would be able to take care and custody of his minor sisters.

2. The Petition is made absolute in terms of prayer clause (b).

3. The Petitioner is appointed Guardian of his two minor sisters Minal and Shraddha.

4. Rs.4,04,719/- is stated to be in the Bank Account, which was held jointly by the father and mother of the Petitioner.

5. Since the Petitioner has produced the death certificates of both the joint holders and is appointed guardian, the Canara Bank with whom the Bank Account of the father stood shall allow 1/3rd amount to be withdrawn by the Petitioner and 2/3rd amount to be kept deposited either in the Bank Account or in FDR in Canara Bank until the minor children Minal and Shraddha attain majority.

6. Since the Petitioner is appointed Guardian of the two minor children, the Petitioner shall be entitled to receive interest which accrues due from the FDR for the maintenance of the minor children.

7. The Petition is disposed of accordingly.

(SMT.ROSHAN DALVI, J.)